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6 Attorneys for MGM MIRAGE OPERATIONS, INC.

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9 **UNITED STATES DISTRICT COURT**

10 **DISTRICT OF NEVADA**

11 MGM MIRAGE OPERATIONS, INC., a  
Nevada corporation,

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13 Plaintiff,

14 v.

15  
16 DAMIR KRUZICEVIC, an individual; and  
CHEAPROOMS.COM, an unknown business  
17 entity,

18 Defendants.  
19

CASE NO. 2:08-cv-00756-JCM-LRL

**STIPULATED PERMANENT  
INJUNCTION AND DISMISSAL WITH  
PREJUDICE**

20 Plaintiff MGM MIRAGE Operations, Inc. has resolved its differences with Defendants  
21 Damir Kruzicevic and CheapRooms.com and has agreed to settled the instant matter in accordance  
22 with the terms of the Settlement Agreement and Release entered into between the parties on June  
23 28, 2008. Therefore, pursuant to Fed. R. Civ. P. 41, Plaintiff MGM MIRAGE Operations, Inc.  
24 hereby dismisses the instant action and requests that the Court enter a permanent injunction  
25 transferring the registration of the <mandlaybay.com> domain name to Plaintiff.

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FROM :

FAX NO. :

Jul. 24 2008 06:30PM P2

The parties have also agreed that this Court shall maintain jurisdiction to enforce the terms of the settlement agreement. See Kokkonen v. Guardian Life Ins. Co. of Am., 511 U.S. 375, 381 (1994) (permitting federal courts to maintain jurisdiction over settlement agreements so long as jurisdiction is expressly retained in order of dismissal); Ortolf v. Silver Bar Mines, Inc., 111 F.3d 85, 87-88 (9th Cir. 1997) (applying Kokkonen exception).

IT IS SO STIPULATED AND AGREED:

Dated: July \_\_, 2008

Dated: July 18, 2008

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and

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CHEAPROOMS.COM

Attorneys for Plaintiff

BY \_\_\_\_\_  
 Damir Kruzicevic  
 As its: OWNER

Defendant

### ORDER


IT IS HEREBY ORDERED that Defendants shall be permanently enjoined as follows:

Defendants, and all others acting at Defendants' instruction and/or otherwise acting on Defendants' behalf, and each of them, are forever and permanently enjoined from using the MANDALAY BAY trademarks, or any colorable imitations thereof, whether alone or in association with any word or design, in commerce in connection with any goods or services, including, but not limited to, hotel reservations, travel services and advertisements regarding the same.

D. G.

1 IT IS HEREBY FURTHER ORDERED that Defendants are dismissed from the  
2 above entitled matter, however, this Court shall retain jurisdiction over the settlement agreement  
3 and this permanent injunction despite the dismissal of Defendants.

4 DATED: July 21, 2008

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6   
7 The Honorable James C. Mahan  
8 UNITED STATES DISTRICT JUDGE  
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